



PUBLIC NOTICE

Federal Communications Commission
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DA 15-1409
December 10, 2015

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
TRANSFER OF CONTROL OF GREAT LAKES COMNET, INC.
TO ACE TELEPHONE ASSOCIATION**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-224

Comments Due: December 24, 2015
Reply Comments Due: December 31, 2015

Ace Telephone Association (ATA), Ace Telephone Company of Michigan, Inc. (Ace Michigan), Great Lakes Comnet, Inc. (GLC), Clinton County Telephone Company (CCTC), Westphalia Telephone Company (WTC), Westphalia Broadband, Inc. (WBI), and Comlink, LLC (Comlink) (together, Applicants) filed an application pursuant to section 214 of the Communications Act of 1934, as amended (Act), and section 63.03 of the Commission's rules, requesting consent for the unauthorized transfer control of GLC and its subsidiaries CCTC, WTC, WBI and Comlink to ATA and Ace Michigan.¹

GLC, a Michigan corporation, is a competitive access provider in Michigan that offers services only to carriers. GLC's tandem switch is located in Westphalia, Michigan, and its transport facilities are located throughout Michigan, as well as in portions of Ohio, Indiana, and Illinois. GLC has network facilities, but no carrier customers in Minnesota and Wisconsin. GLC's wholly owned subsidiary, Comlink, provides local exchange service as a competitive local exchange carrier (LEC) in Michigan, Ohio, Indiana, Illinois, and Wisconsin. WTC is an incumbent LEC serving the Westphalia exchange in Michigan. WBI, d/b/a Comlink, is a competitive LEC providing telecommunications services in the DeWitt, St. Johns and Fowler exchanges and video services in the Lansing exchange.

ATA, a Minnesota telephone cooperative, provides local exchange and long distance, broadband Internet services, video service, and variety of other services in small towns and rural areas in Minnesota and Iowa. Ace Michigan, a wholly owned subsidiary of ATA, provides, as a competitive local exchange carrier (LEC), exchange access, domestic long distance service, broadband Internet service, and video

¹ 47 U.S.C. § 214, 47 C.F.R. § 63.03. Applicants are also filing applications for transfer of control associated with authorization for international services. Applicants filed several supplements to their original application. On December 10, 2015, the Wireline Competition Bureau granted the Applicant's request for Special Temporary Authority. See Letter from Michael C. Rampe, Counsel to Marlene H. Dortch, FCC, WC Docket No. 15-224 (filed Nov. 17, 2015). Any action on this domestic section 214 application is without prejudice to Commission action on other related pending applications.

services in various exchange area in Michigan. ATA, is wholly owned by Ace Link Telecommunications, Inc. Applicants state that none of the GLC affiliated incumbent LEC or competitive LEC service territories overlap any of the ATA affiliated incumbent LEC or competitive LEC services territories. Applicants state that GLC has fiber facilities that are located in the Ace Michigan incumbent LEC exchange. Applicants state that ATA is wholly owned by its member customers, none of whom own a ten percent or greater interest in ATA.

On October 6, 2014, Ace Michigan, as well as other GLC shareholders, purchased shares from GLC, resulting in Ace Michigan becoming the holder of approximately 51 percent of the common stock of, and thereby acquired a controlling interest in, GLC. Accordingly, Ace Michigan and ATA acquired an indirect, controlling interest in GLC's wholly owned subsidiaries, CCTC, WTC, WBI, and Comlink.

Applicants state that the transaction serves the public interest. Applicants state that, post-consummation, GLC and its subsidiaries have continued to provide high quality affordable services that are uniquely tailored to the needs of their customers. Because the proposed transaction is complex, we accept the application for non-streamlined processing.²

Domestic Section 214 Application Filed for the Transfer of Control of Great Lakes Comnet, Inc., to Ace Telephone Association and Ace Telephone Company of Michigan, Inc., WC Docket No. 15-224 (filed Sept. 16, 2015).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before December 24, 2015**, and reply comments **on or before December 31, 2015**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Myrva Freeman, Competition Policy Division, Wireline Competition Bureau, <mailto:myrva.freeman@fcc.gov>;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, <mailto:david.krech@fcc.gov>;
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

² 47 C.F.R. 63.03(c)(1).

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The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Myrva Freeman at (202) 418-1506 or Dennis Johnson at (202) 418-0809.

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